REMARKS

The enclosed is responsive to the Examiner's Office Action mailed on

July 1, 2004. At the time the Examiner mailed the Office Action claims 1-23

were pending. By way of the present response the Applicants have: 1)

amended claim 16; and, 2) added claims 24 through 41. As such, claims 1-41

are now pending. The Applicants respectfully request reconsideration of the

present application and the allowance of all claims now presented.

Independent claims 1 and 16 stand rejected under 35 USC 103 as

being obvious in light of the combination of U.S. Patent No. 6,721,322

(hereinafter, "Lakhani") and U.S. Patent No. 6,195,714 (hereinafter, "Li").

The Present Application

The present application is directed to the transportation of telephony

network traffic with an ATM network. Referring to Figure 2 of the present

application, the basic methodology involves "looping" a correlation tag from an

ATM "source" gateway 208 into which an incoming telephony call is directed

for access to ATM network 207. The ATM "source" gateway 208 sends

identification of itself and the correlation tag 215 into the telephony signaling

control network 204. The appropriate ATM "destination" gateway 209 receives

both the identification of the source gateway and the correlation tag 216 and

initiates setup a virtual circuit within the ATM network 207.

The ATM "destination" gateway 209 uses the identification of the source gateway to direct the setup messaging to the correct origination point for the virtual circuit (i.e., "source" gateway 208). Importantly, the setup messaging includes the correlation tag. The correlation tag, upon its reception by the "source" gateway 208, is used by the "source" gateway 208 to recognize for which incoming telephony call (of perhaps many) the received setup messaging pertains to. This recognition is ultimately used to correlate the virtual circuit with the correct telephony call so as to effectively "connect" the virtual circuit to the correct telephony call.

The Prior Art

The Applicant commends the Examiner for the discovery of the Lakhani and Li references. Both references clearly pertain to the transportation of telephony traffic through an ATM network. However, the Applicant respectfully submits that the sending of information **into a telephony signaling control network from an ATM source gateway**, where, the information is afterward used by the ATM source gateway for **correlating a particular incoming telephony call with the correct ATM virtual circuit** is nowhere disclosed or suggested by these references. Therefore the Applicant respectfully submits that all independent claims are allowable over these references alone or in combination.

The Lakhani Reference

The Lakhani reference does not appear to specifically discuss how the ATM source gateway of Lakhani (MSP 17) is able to correlate the correct incoming telephony call (on trunk 22) with the specific switched virtual circuit (SVC) that is established within the ATM network 40 to handle the call. See, Lakhani Col. 6, line 56 through Col. 7, line, 32 and in particular Lakhani, Col. 7, lines 5-16 (note, Col. 7, lines 11-12 should probably refer to "originating interface 17" rather than "terminating interface 19").

As best as the Applicant can tell, the Call Manager 30 of Lakhani sends "the TDM path ends" and "other miscellaneous information" for the call to at least the ATM destination gateway of Lakhani (i.e., MSP 19). Although not stated in Lakhani, the Applicant believes it possible that MSP 17 could correctly correlate a telephony call on trunk 22 with its corresponding SVC if the "TDM path ends" and/or the "other miscellaneous information" were embedded in the SETUP messaging directed from MSP 19 to MSP 17 (or sent directly to MSP 17 by the Call Manager 30). That is, the TDM path ends and/or other miscellaneous information could be used as a correlation tag by MSP 17.

The Applicant respectfully submits, however, that if the invention of Lakhani works in this manner, it simply does not disclose or suggest the sending of the correlation tag information <u>by MSP 17</u> **into** the telephony signaling control network of Lakhani ("common channel signaling network"

which includes STPs 25, 27 (See, Lakhani Col. 3, lines 4 – 20). The Applicant respectfully submits that any other scheme for properly correlating the incoming telephony call with the proper SVC at MSP 17 is simply not discussed in Lakhani, therefore, Lakhani fails to explicitly or implicitly cover the subject matter claimed by the Applicant and emphasized above.

The Li Reference

Unlike the Lakhani reference, the Li reference explicitly discusses how a source ATM gateway is able to correctly correlate an incoming telephony call with its SCV within the ATM network. Unfortunately for the Examiner's position, the technique of Li clearly does not involve the ATM source gateway sending a correlation tag into a telephony control network and then subsequently receiving the correlation tag from within the ATM network.

The discussion of Li generally regards node 22b and its associated control elements/units 26b, 32b as the ATM "source" gateway and node 22a and its associated control elements/units 26a, 32a as the ATM "destination" gateway. See, Li Col. 6, lines 17-20 and Col. 10, lines 30-45.

The correlation between the incoming telephony call and its ATM virtual circuit is manifested by associating together both a virtual circuit identifier (Virtual Circuit Identification Code (VCCI)) and the identity of the telephony call (Circuit Identification Code (CIC)). The source gateway 22b, 26b, 32b comprehends both of these identifiers as part of an integrated process. See, Li Col. 10, line 30 through Col. Col. 11, lines 1-16. Then, the source gateway

22b, 26b, 32b initiates virtual circuit call setup signaling toward the destination gateway 22a, 26a, 32a according to standard prior art procedures. See, Li. Col. 10, lines 43-48.

Simply put, because the call setup signaling is forward rather than backward, the source gateway 22a, 26a, 32a never has to correlate a telephony call and ATM virtual circuit in response to the reception of a call setup message. Therefore, there is no need to send correlation tag information into the telephony signaling control network 16a, 16b, 16c.

Because the source gateway 22a, 26a, 32a does not send correlation tag information into the telephony signaling control network, the Li reference fails to cover the claimed subject matter emphasized above.

Conclusion

Because neither the Lakhani nor the Li references disclose, teach or suggest the sending of correlation information from an ATM source gateway into a telephony signaling control network, where the correlation information is later used to correlate a telephony call incoming to the source gateway and an ATM virtual circuit established for the telephony call, the Applicant's independent claims are patentable over the Lakhani and Li reference alone or in combination. Therefore all the Applicant's claims are patentable over the Lakhani and Li references.
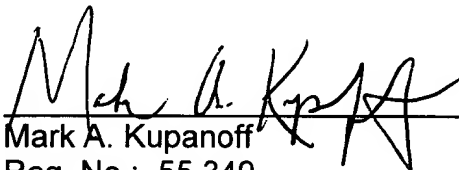
The Applicant's silence to the dependent claims should not be construed as an admission by the Applicant that the Applicant is complicit with the Examiner's rejection of these claims. Because the Applicant has demonstrated the patentability of the independent claims, the Applicant need not substantively address the theories of rejection applied to the dependent claims.

Applicant respectfully submits that all rejections have been overcome and that all pending claims are in condition for allowance.

If there are any additional charges, please charge them to our Deposit Account Number 02-2666. If a telephone conference would facilitate the prosecution of this application, the Examiner is invited to contact Robert B. O'Rourke at (408) 720-8300.

Respectfully Submitted,
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